

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>LINDA VANTRESS,</b>	:	Case No. 1:16-cv-239
	:	
Plaintiff,	:	Senior Judge Sandra S. Beckwith
	:	
v.	:	Magistrate Judge Karen L. Litkovitz
	:	
<b>ALKERMES, INC.,</b>	:	<b><u>JOINT DISCOVERY PLAN</u></b>
	:	(RULE 26(f) REPORT)
Defendant.	:	(REQUIRED FORM)

**NOW COME** all parties to this case, by and through their respective counsel, and hereby jointly submit to the Court this Joint Discovery Plan, pursuant to the Court's Trial Procedure Order. The parties conducted their discovery conference on May 19-20, 2016.

**A. MAGISTRATE JUDGE CONSENT**

The Parties:

- unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).
- do not unanimously consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c).
- unanimously give contingent consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636 (c), for trial purposes only, in the event that the District Judge assigned is unavailable on the date set for trial (e.g., because of other trial settings, civil or criminal).

**B. RULE 26(a) DISCLOSURES**

- The parties have exchanged pre-discovery disclosures required by Rule 26(a)(1).
- The parties will exchange such disclosures by June 24, 2016
- The parties are exempt from disclosures under Rule 26(a)(1)(E).

NOTE: Rule 26(a) disclosures are not to be filed with the Court.

**C. DISCOVERY ISSUES AND DATES**

1. Discovery will need to be conducted on the issues of:

The parties intend to conduct written discovery and take depositions with respect to all claims and defenses and as to both liability and damages.

---

2. The parties recommend that discovery

need not be bifurcated

should be bifurcated between liability and damages

should be bifurcated between factual and expert

should be limited in some fashion or focused upon particular issues which relate to \_\_\_\_\_

---

3. Disclosure and report of Plaintiff(s) expert(s) by September 21, 2016

4. Disclosure and report of Defendant(s) expert(s) by October 19, 2016

5. Disclosure and report of rebuttal expert(s) by November 19, 2016

6. Disclosure of non-expert (fact) witnesses by November 19, 2016

7. Discovery cutoff: December 23, 2016

8. Anticipated discovery problems

\_\_\_\_\_

None

**D. LIMITATIONS ON DISCOVERY**

1. Changes in the limitations on discovery

Extension of time limitations (currently one day of seven hours) in taking of depositions to \_\_\_\_\_.

Extension of number of depositions (currently 10) permitted to \_\_\_\_\_.

Extension of number of interrogatories (currently 25) to \_\_\_\_\_.

Other: \_\_\_\_\_

None.

**E. PROTECTIVE ORDER**

- A protective order will likely be submitted to the Court on or before June 30, 2016.
- The parties currently do not anticipate the need for a protective order. If the parties subsequently deem that one is necessary, they will submit a joint proposed order to the Court. Such order will be in compliance with *Procter & Gamble Co. v. Bankers Trust Co.*, 78 F. 3d 219 (6th Cir. 1996).

**F. SETTLEMENT**

A settlement demand  has  has not been made.

A response  has  has not been made.

A demand can be made \_\_\_\_\_, 2016.

A response can be made by \_\_\_\_\_, 2016.

**G. MOTION DEADLINES**

1. Motion to amend the pleadings and/or add parties by June 20, 2016.
2. Motions relative to the pleadings by July 8, 2016.
3. Dispositive motions by January 27, 2017.

**H. OTHER MATTERS PERTINENT TO MANAGEMENT OF THIS LITIGATION**

None. \_\_\_\_\_

**Signatures:**

*Attorney for Plaintiff*

*Attorneys for Defendant*

/s/ Lucas W. Wilder (per e-mail auth. 05/20/16)

Lucas W. Wilder (#0074057)  
LAW OFFICE OF LUCAS W. WILDER  
120 West Second Street, Suite 400  
Dayton, OH 45402  
Telephone: 937.232.6250  
Facsimile: 937.222.8044  
E-mail: [lwilderr44@gmail.com](mailto:lwilderr44@gmail.com)

/s/ David A. Kadel

David A. Kadel, *Trial Attorney* (#0036863)  
Chad J. Kaldor, *Of Counsel* (#0079957)  
LITTLER MENDELSON, P.C.  
21 East State Street, 16<sup>th</sup> Floor  
Columbus, OH 43215  
Telephone: 614.463.4201  
Facsimile: 614.221.3301  
E-mail: [dkadela@littler.com](mailto:dkadela@littler.com)  
[ckaldor@littler.com](mailto:ckaldor@littler.com)

**CERTIFICATE OF SERVICE**

I hereby certify that, on May 20, 2016, the foregoing *Joint Discovery Plan* has been filed via the Court's electronic filing system. Notice of filing will be performed by the Court's electronic filing system, and Parties may access the document through the Court's electronic filing system.

*/s/ David A. Kadela*  
An Attorney for Defendant

Firmwide:140520998.1 049234.1019  
5/20/16